

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOSEPH WADE,

Plaintiff,

-v-

ROBERT RODRIGUEZ, in his official capacity,

Defendant.

CIVIL ACTION NO. 23 Civ. 4707 (PAE) (SLC)

**ORDER**

**SARAH L. CAVE**, United States Magistrate Judge.

In light of the motion to dismiss Defendant filed on February 12, 2024 (ECF No. 49), the motion to dismiss Defendant filed on November 30, 2023 (ECF No. 20) is DENIED AS MOOT.

The Clerk of Court is respectfully directed to close ECF No. 20.

Dated: New York, New York  
February 13, 2024

SO ORDERED.

  
**SARAH L. CAVE**  
United States Magistrate Judge